No. 2849, *dated* 16*th March* 1904.

Under Section 6 of the Land Acquisition Regulation, No. VII of 1894, it is hereby declared that the land described hereunder is required for a public purpose, *viz.*, for extending the Muhammadan burial ground of the Rangapur village for the use of the Muhammadan community living in the villages of (1) Rangapura, (2) Sidramanhalli and (3) Madapura of the Kadur Taluk, and Mr. P. G. D'Souza, Assistant Commissioner, Kadur District, is authorized, under Sections 3 (*c*) and 7 of the aforesaid Regulation, to take order for the acquisition of the land :—

District—Kadur.
Taluk—Kadur.
Hobli—Bidare.
Village—Madapur.
Name of holder—Rudra.
Survey No.—145.
Total area—4 acres and 10 guntas.
Assessment—Rs. 3-8-0.

Extent of land required—1 acre.
Boundaries—
East—Road leading to Madapur from Rangapur.
West—Portion of Survey No. 145.
North— Do do
South—Survey No. 11 of Rangapur village burial ground.

No. R. 3006—*R. F.* 57-1896, *dated* 4*th April* 1904.

ERRATUM.

In Notification No. R. 2341, dated 10th February 1904, for "Dasappa" please read "M. R. Dasanna."

No. R. 2938—*R. F.* 45-1901, *dated* 26*th March* 1904.

The following Assistant Commissioners of the 2nd Class, Schedule B, are promoted to the 1st Class, with effect from the dates shown against their names :—

(1) Mr. C. S. Balasundaram Iyer, B.A. ... } From 22nd September 1903.
(2) „ Kurian Mathan, B.A. ... }
(3) „ G. Aravamudiengar, B.A., B.L. ... }
(4) „ B. Ramaswamaiya, B.A., B.L. ... }
(5) „ C. Venkata Rao, B.A., from 23rd November 1903.

SALE OF SEPARATE ARRACK SHOPS FOR 1904-05.

Notification No. 640—*Ex. F.* 7-1902, *dated* 29*th March* 1904.

1. Notice is hereby given that the exclusive right of selling Arrack in each of the separate shops specified in the appended *schedule for the twelve months beginning with 1st July 1904, and ending with 30th June 1905, will be put up to public auction at upset prices, by the respective Deputy Commissioners or by Revenue Assistant Commissioners or by Divisional Officers of the Excise Department or other officers specially authorized by the Deputy Commissioners for the purpose, on the dates and at the places mentioned in the said schedule, subject to the conditions hereinafter set forth. If the sales are not completed on abovenamed days, they will be continued on the next following days. (Close holidays excepted.)

2. (*a*) Each bidder at the auction will deposit a sum of Rs. 60 for shops in the Kolar Gold Fields, Rs. 25 for those in the Mysore and Bangalore Cities and Rs. 10 for those in other places, or such other reasonable amount as may be fixed by the officer conducting the sale, previous to bidding. It will, if offered, be received at any time within 3 days prior to the date of sale, provided that the Government may, at any time dispense with such initial deposit. The shops or group of shops will be knocked down to the approved highest bidder, subject to formal confirmation by the Deputy Commissioner, who will be at liberty to accept or reject any bid at his discretion without assigning reasons for the same. Such formal confirmation will, *unless revised by Government for special reasons*, be tantamount to an acceptance of the bid and will be necessary whether the sale be held by the Deputy Commissioner himself or by any other officer appointed by him. Parties intending to bid must attend either in person or by duly accredited agents. Should there be no bid above the upset price, for any shop singly, the officer conducting the sale may in consultation with the Excise Divisional officer, if present, club together more than one shop or, if necessary, reserve shops for which there may be no bids for disposal hereafter. He may, subject to formal confirmation of the Deputy Commissioner, sell the right in any particular case by means of tenders or by private negotiation. He may also lower the upset price at his discretion. The officer conducting the sale may, at his discretion and without assigning any reason, refuse to accept the bid of any person, on the ground that he has been committed by a criminal court of such an offence, or has been guilty of such breach of the conditions of the license, or of a contract under the Excise Regulation or Opium Act, as to render him undesirable as a holder of a license or on the ground that he is insolvent, or in order to prevent arrangements to the detriment of Government interests or for any other valid reason.

(*b*) No shop shall be knocked down in the name of more than one person or of more than one company or firm duly represented. The selling officer shall refuse to register as a purchaser any one in whose name the bidding has not proceeded.

* NOTE.—For Schedule, see *Mysore Gazette* Supplement, dated 31st March 1904.

3. As soon as possible after the auction is completed, the deposits made by the unsuccessful bidders, if not forfeited as hereinafter provided, shall be returned to them. As the auction proceeds, each person whose bid is accepted shall at once, if so required by the selling officer or otherwise at the close of the day's sale, make a further deposit of a sum equal to half a month's rent for each shop or group of shops unless the initial deposit equals or exceeds two month's rent. The person to whom a shop or group of shops has been knocked down and who has made deposits as provided above, shall be required to leave his address with the selling officer, in order that the confirmation of the sale may be communicated to that address by a notice, and he shall, within 7 days after the service of the said notice, by its presentation to himself or to any adult male member of his family at the place of the said address or by its being affixed thereto or by its forwardal, duly registered by post, deposit at the Taluk Treasury concerned such further sum as, with the former deposits, will make up an aggregate sum equal to two months' rent, and execute at the same time before the Amildar the necessary engagements and take out the necessary licenses as hereinafter set forth. Should the initial deposit exceed the sum required to be deposited under this clause, or the following clause the excess will be refunded to the purchaser. If, on enquiry subsequent to sale, the purchaser shall be found to be a foreigner having no property in the Mysore State, or to be of doubtful solvency, he may be required to deposit twice the prescribed sum or to get a surety or sureties, residents of and possessing property in the Mysore State, to execute a security bond for the due payment of *all moneys* that may become due by him under the terms of the contract.

4. The deposit made under the preceding clause shall be either in cash or in Government of India securities duly endorsed in favour of the Deputy Commissioner, provided that in cases where the monthly rent exceeds Rs. 10 (in lieu of deposit of two months' rent as above), the Deputy Commissioner, may, in his discretion, allow any purchaser to deposit one month's rent as above, and to furnish approved personal security for an amount equal to four months' rent. In all cases where the monthly rent does not exceed Rs. 10, a cash deposit equal to two months' rent shall invariably be taken and no personal security shall be accepted.

5. If the purchaser fail to make any of the deposits above referred to, or to get the requisite surety or sureties, the deposits already made will be forfeited, the shop or group of shops will be immediately re-sold or otherwise disposed of under orders of the Deputy Commissioner or selling officer, and he will be debarred from bidding again for the same or for any other shop or group of shops.

6. The purchaser shall execute an agreement in the prescribed form, binding himself and, unless exempted by the Deputy Commissioner by an order duly recorded, so much of his movable and immovable property as may be deemed sufficient by the Deputy Commissioner, to observe the conditions hereinafter set forth, as well as those specified in the license to be issued to him; and his surety or sureties, if any have been accepted, shall also execute a bond in the prescribed form binding himself or themselves and so much of his or their movable or immovable property as may be deemed sufficient by the Deputy Commissioner for the due fulfilment by the purchaser of the terms of the agreement. The agreement and the bond so executed shall be stamped at the expense of the purchaser. They shall also be registered at his expense when the amount secured is Rs. 100 and above.

7. On the failure of any person to take out licenses or to execute agreements as aforesaid, all deposits already made shall be forfeited, and the shop or group of shops shall be re-sold, or be otherwise disposed of by the Deputy Commissioner at the risk and loss of the defaulting purchaser, who shall forfeit to the Government any desposit or deposits already made by him, and shall further be liable to make good any loss caused by such re-sale or other disposal, but shall not be entitled to any gain accruing from the re-sale or other disposal. In the case of loss the forfeited deposit may be deducted therefrom. In the case of the purchaser's death after confirmation of the sale, it will be binding on his heirs or assigns.

8. Re-sales or other disposal effected under para 5 will be at the risk of the defaulting bidder, who shall forfeit all gain; and in the event of a loss caused by re-sale or other disposal he shall make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale or other disposal. In the latter case, the forfeited deposit shall be deducted from the loss arising from the re-sale or other disposal, and the remainder, if any, shall be recovered from the defaulter in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposit be greater than the loss by re-sale, the whole of such deposit shall be credited to Government.

9. The amount of rental, the consumption of each shop, etc., for several years past are specified in the appended schedule.

10. The license to be taken out under para 6 above, shall be subject to the following conditions, but nothing herein contained shall exempt the purchaser of the privilege from liability to the penalties prescribed for breaches of the conditions set forth below though a formal license may not have been issued :—

(1) (*a*) The privilege conferred by the license extends only to the sale of Arrack ordinarily of 20° the strength of under-proof, and with the special permission of the Deputy Commissioner or other officer authorized by him, to the sale of arrack of 30° under-proof. In places where there are no shops for the vend of

foreign liquors or where the foreign liquor shop-keepers do not undertake to sell the double-distilled or rectified country spirits and special liquors, such as Brandy, Whisky, Gin, etc., of such strength as may be fixed by the Excise Commissioner, manufactured at the Government Central Distillery, Bangalore, the holder of Arrack shop license of approved character may, with the sanction of the Excise Commissioner, be permitted to sell the same in duly corked sealed bottles not to be drunk on the premises, at such prices as may be fixed by the Excise Commissioner.

(b) The manufacturers of arrack or double-distilled or rectified country spirits or other special liquors as well as the licensees of arrack Bonded Depots are prohibited from holding any interest in the retail vend of the abovementioned spirits or from employing any person who has such interest.

(2) (a) The amount for which the privilege has been purchased shall, if it exceeds Rs. 12 per annum, be payable into the local Taluk Treasury, in equal monthly instalment commencing from July 1904. But where it does not exceed Rs. 12 per annum, it shall be paid in not more than 3 equal quarterly instalments. Each instalment shall be regarded as the rent for the month or quarter in respect of which it is payable. The licensee is not required to make any additional payment on account of local cess. Each month's or quarterly rent shall be payable on or before the 20th of the same month or before the end of the quarter for which the instalment is due. If default is made, the Amildar may, with the sanction of the Deputy Commissioner, suspend or declare, by record in writing that the license is forfeited, and proceed to re-sell or otherwise dispose of the shop or group of shops (as soon after the last day of the month or quarter as may be possible), with effect from the date of issue of license to the new purchaser or from the date of other disposal. The officer who has power to suspend license may, however, at his discretion, allow sales to continue pending re-sale or other disposal of the privilege.

Note :—The licensee of a Jatra shop shall pay the rent thereof in full before the Jatra begins.

(b) The deposit made by the licensee shall be taken as security for the due performance of the conditions of the license and if not forfeited, credited or otherwise disposed of, shall be credited in payment of the instalment due in the last two months of the period of the lease. Provided, however, that where the shop or group of shops is re-sold, or otherwise disposed of, the deposit shall, at the discretion of the Deputy Commissioner, be either forfeited or be appropriated towards the arrears due by the defaulter, as well as towards the deficits, if any, arising from the re-sale or other disposal of the shop or group of shops. The balance of such arrears and deficits, if any, shall be recoverable from the licensee under the rules in force for the recovery of arrears of land revenue. No remission or abatement of the rent or compensation shall, on any account whatever, be claimable by the licensee.

(c) Interest at 6 per cent per annum shall be recoverable on all arrears from the date of default, and on deficits from the date of re-sale or other disposal.

(3) (a) The licensee shall purchase from the Bonded Depots established molasses arrack at 8½ annas per gallon of 20° U. P., jaggory arrack in duly corked sealed bottles at Rs. 1-6-6, and also special liquors referred to above, at such prices as may be fixed by the manufacturers.

(b) The licensee shall sell Molasses Arrack to the public at Rs. 6-6-0 per gallon of 20° U. P. (*i.e.*, at annas 2 per dram, which is equal to $\frac{1}{81}$st part of a gallon) and jaggory arrack at Rs. 1-3-10 per reputed quart bottle and at proportionate rates for lower strength.

(4) The licensee of every shop in the cities of Bangalore and Mysore shall pay a registration fee under the Municipal Regulation at the rate of Rs. 180 per annum in advance for the period of the license for his shop; and he shall pay also a license fee of 4 annas per gallon on all Arrack sold by him in excess of 55 gallons a month in each such shop.

(5) The above rates to be charged for molasses arrack, jaggory arrack, double-distilled or rectified country spirits or other special liquors by the manufactures, and the above fee are in addition to the Excise duty which shall be prepaid as per following condition (6), at the prescribed rate of Rs. 4-12-0 (including local cess) per gallon of 20° U. P. and proportionately for higher or lower strengths, before the removal of liquor from the Bonded Depot established under the sanction of Government.

(6) The licensee shall pay the above duty and price into the Taluk Treasury or to a special shroff, if any, appointed in this behalf at the cost of Government and located at the Taluk Cutcherry to receive such duty and price daily, including

Sundays and holidays, or to such other officer as may be appointed by the Deputy Commissioner, and shall obtain a receipt in the prescribed printed form. On production of such receipt, and indent for the supply of the liquor covered by the receipt, the Bonded Depot-keeper shall issue the quantity of liquor equal to the amount of duty and price shown in the said receipt, which will be forwarded to the Excise Commissioner's office under the endorsement of the Bonded Depot-keeper aforesaid, as to the date and hour when the liquor was issued. The Depot-keeper aforesaid shall issue a pass in the prescribed form for the transport of liquor from the Bonded Depot. He shall also issue sample bottles with the consignments in such manner as may be ordered by the Excise Commissioner.

(7) The licensee shall be bound to take over any liquor which may remain as stock in hand belonging to the out-going licensee on 1st July 1904, in the shop, paying him such compensation for the same as may be fixed by the Excise Commissioner.

(8) The licensee shall possess or use on any licensed premises only such standard measures as may, from time to time, be prescribed by the Excise Commissioner. The officers authorized to inspect licensed shops are empowered to enter and examine the premises to test the measures in use and the liquor under sale and to call for and check the accounts kept in the shops.

(9) The lease shall not be transferable by sale, gift or otherwise or be sub-rented except with the permission of the Excise Commissioner, nor if the Deputy Commissioner so orders, may any agent be appointed for the management of any privilege without his previous approval. All engagements entered into by the agent shall be deposited with the Deputy Commissioner within one month from the date of execution.

(10) Resignation of shops in whole or part will be summarily rejected by the Deputy Commissioner.

(11) The licensee shall be bound by the provisions of the Excise Laws and Rules in force and by any additional rules which may, from time to time, be prescribed under the Excise Laws, and if so required, to deliver up his license for amendment or issue of a fresh one.

(12) The Deputy Commissioner may, whenever he thinks fit, direct shops to be closed, or permit transfer of shops from one place to another, provided the distance is not more than 200 yards, or direct new shops to be opened with the previous sanction of the Excise Commissioner.

(13) Persons who purchase group of shops may, with the special permission of the Excise Commissioner, who is at liberty to refuse it, and under a license by a competent authority open a Depot and remove thereto liquor purchased from the Bonded Depot and issue therefrom the requisite supply to their shops.

(14) The licensee of shop or group of shops shall not, during the term of the license, have any interest in the exclusive privilege of vending toddy within 5 miles from it, nor permit any person having interest in the exclusive privilege of vending toddy within the said area, to hold any share or interest in his exclusive privilege of selling liquor; nor shall he, during the term of his license, without the written permission of the Excise Commissioner, have any interest, direct or indirect, in any arrack farm in any districts of the Madras or Bombay Presidency under the British Government or any other Foreign State or Territory, or Civil and Military Station, Bangalore.

(15) An Inspection note book with the pages numbered consecutively for inspecting officers to enter their remarks shall be maintained and be handed over to the Excise Inspector in charge of the Range or any officer authorized by him to receive it on a receipt being given therefor.

(16) If the licensee shall be convicted on prosecution before a Magistrate of any offence against the Excise Regulation, or Opium Act or other law for the time being in force, which, in the Deputy Commissioner's opinion, renders him unfit to hold the license, it shall be lawful for the Deputy Commissioner to declare his license forfeited and sell or otherwise dispose of the privilege at the risk of the licensee.

(17) All sums payable by the licensee may be deducted from the amount of his deposit or recovered by attachment and sale of the property of the licensee or his surety, under any law for the time being in force for the recovery of arrears of land revenue.

(18) The license-holder or vendor or vendors shall not sell nor give any arrack exceeding one reputed quart to any individual to convey out of any licensed shops or premises without a valid permit.

(19) The shop-keepers shall not sell or give any arrack to any European non-commissioned officer private or soldier, or to any European or Eurasian camp follower, or to any member of the families of any of the aforesaid persons, without the

permission in writing of the Commanding Officer or of some person duly authorised by him in that behalf; nor to any European or Eurasian sailor; nor to any sepoy, member of the Police Force, or Excise Staff or servant of a Railway Company, whilst on duty; nor to any European vagrant under escort of the Police; nor to any child under twelve years of age; nor to any insane person for consumption on the premises; nor shall they sell any arrack on credit.

(20) They (license-holder or vendor or vendors) shall not receive any articles whatsoever in barter or pledge. Payment for arrack shall be received by them in ready money only, and they shall be bound to give intimation of the offer of anything other than cash to the nearest Magistrate or Police Officer. They shall have no pecuniary dealings with any Excise Officer.

(21) The arrack kept in his shop, offered for sale and sold shall be unadulterated and undiluted; and it shall be of the same quality and strength as issued from the Bonded Depot. No ingredients noxious to health shall be added to it either to increase its intoxicating power or for any other purpose. All officers authorized to inspect shops and depots are empowered to detain any liquor found unfit for consumption or use and all Deputy Commissioners, Excise Commissioner, Deputy Excise Commissioner and Excise Assistant Commissioners are authorized to destroy such.

(22) No water or other beverage, or liquor other than arrack of any quantity whatever shall be kept or sold in the shop in which arrack is sold, or on the person or in possession of the license-holder or vendor or any of his employes in the shop.

(23) No robbers or thieves or disorderly or riotous persons or prostitutes or soldiers or others known or believed to be deserters shall be harboured in the shop, and gaming, disorderly conduct, etc., therein shall be prevented, and information of their resort shall be given to the Magistrate or Police Officer. No person shall be harboured during night in any shop.

(24) The license-holder shall fix in a conspicuous place outside of his shop a board on which shall be legibly printed in local vernacular, his name and the number of his license and the articles he is licensed to deal in and the current rate of sale; the license must be hung up in a conspicuous place within.

(25) True account of receipts and issues of liquor shall be maintained from day to day in ink in the prescribed form. The accounts and permits shall be in printed books which may be obtained from local Excise Officers on payment of cost price. Permits for liquor received and the counterfoils of permits issued must be carefully filed. The signing of blank permits for subsequent issue is prohibited. The accounts and counterfoils of permits shall be preserved and delivered to the local Excise Officer immediately after the close of the lease. They shall be produced when asked for by the Deputy Commissioner or any Officer appointed by him or by an Excise Officer not below the rank of Excise Assistant Inspector. The licensee shall be bound to furnish such returns and information as may, from time to time, be required by the Deputy Commissioner or Excise Officer not below the rank of Assistant Inspector.

(26) The following stock or such stock as the Excise Divisional Officer may consider sufficient to meet local requirements shall always remain on hand and not be trenched upon.—

	Arrack.	Remarks.
I. At all District Head-quarters	2 Gallons.	
II. At all Taluk and Depot Kasbas	1 Gallon.	
III. Village shops within 5 miles from Depot ..	½ Gallon.	
IV. Village shops more than 5 miles distant from Depot...	Stock equal to one day's sale for every 10 miles from Depot and not less than the stock fixed for shops within 5 miles of the Depot.	

The shop shall be kept open during the authorized hours unless its temporary or permanent closure is authorized by the Deputy Commissioner.

(27) The shop shall be closed by 9 P. M., and not be opened before sunrise except on special permit in cases of festivals, etc. The Deputy Commissioner or Assistant Commissioner in charge of the Taluk may direct that all shops for the sale of arrack on or adjacent to the line of march shall be closed whilst a detachment of European or Native soldiers is passing or encamped in the vicinity. The Government reserves the power to terminate the lease on public grounds on giving the licensee 15 days' notice and awarding a reasonable compensation to the licensee. The licensee will have no claim to compensation or remission on account of any arrangements which may be made by Government in regard to Country Beer or other description of liquor than arrack.

(28) The sales should be conducted in a suitable building which shall have only one door, and no window shall be allowed to the rear or ends of the building; the bar where the liquor is sold from, shall be opposite to the entrance door, and so situated that all persons inside can be seen by any one passing to and fro in the street; and no second room shall be allowed to be kept open for customers.

(29) The right is reserved to the Deputy Commissioner to grant occasional licenses for the sale of liquor on the occurrence of fairs, festivals, etc., in places in the vicinity of which there are no regularly licensed shops. Such licenses shall ordinarily be granted to the shop-keepers who usually supply the locality. Their period shall not exceed 15 days and the fee to be paid therefor shall be fixed at the Deputy Commissioner's discretion unless he decides to sell the same by public auction.

(30) If it comes to the licensee's knowledge that any person employed by him in the carriage or sale of arrack, commits any breach of the Excise Laws or of the engagements entered into by him, it shall be his duty to report the matter to the Deputy Commissioner, and comply with the directions of the Deputy Commissioner respecting the continued employment of such person.

(31) No person who has been convicted of a heinuous offence under the Indian Penal Code shall be employed in the carriage or sale of liquor without the Deputy Commissioner's previous permission.

(32) The sale or transport of arrack by persons suffering from leprosy or any contagious disease, and the employment of such persons in the shop are prohibited.

(33) No consignments of arrack received at the shop, and which have been transported through British territory, shall be opened before they have been verified by authorised officers.

11. In case of any breach of the above conditions either by the licensee or, with his connivance and privity, by any person in his employment, or in the event of the licensee neglecting to open his shop, or to carry on the business of his shop with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding Rs. 50 for every such breach or for such neglect, or, at the option of the Deputy Commissioner, to declare the money deposited with him forfeited, and to cancel the license and re-sell the shop or to otherwise dispose of it at the risk of the licensee, or to place the shop under the management of Government; and all loss thereby caused, together with all losses accruing to Government in consequence of the licensee's neglect to carry on his business with due care and attention and by opening his shop on 1st July 1904, shall be made good by him. When a shop is cancelled, the rent for the whole period of the shop shall become due at once. All such amounts of penalties and losses shall be recovered in the same manner as if they were arrears of land revenue.

12. The imposition of a fine or the forfeiture of deposit or the cancellation of the license under the last preceding para, shall not be held to prevent the prosecution of the licensee or his agents or employees for any offence punishable under the Excise Laws or other Law for the time being in force.

NOTE.—For continuing breaches of a license, continuing fines may be imposed.

SALE OF TODDY SHOPS FOR 1904-05.

Notification No. 641—Ex. F. 6-1902, dated Bangalore, 29th March 1904.

1. It is hereby notified by the Government of His Highness the Maharaja of Mysore that the exclusive privilege of selling toddy in each shop or group of shops specified in the appended Schedule, for one year, beginning with 1st July 1904 and ending with 30th June 1905, will be put up to public auction at upset prices by the respective Deputy Commissioners or by Revenue Assistant Commissioners or Divisional Officers of the Excise Department or other officers specially authorized by the Deputy Commissioners for the purpose, on the dates mentioned in the said Schedule, and at the respective Taluk or Sub-Taluk Kasbas, and, except as hereinafter provided, will be knocked down to the bidder offering the highest amount of rent above those prices. If the sales are not completed on abovenamed days, they will be continued on the next following days (close holidays excepted). Should there be no bids for any shops singly,

* NOTE.—For Schedule, see *Mysore Gazette* Supplement, dated 31st March 1904.

the officer conducting the sale shall be at liberty to revise, when necessary, in consultation with the Excise Divisional Officer, if present, the grouping of shops as specified in the Schedule hereto appended, or, if necessary, to reserve shops for which there may be no bids, for disposal hereafter, or to sell the said privilege in any particular case, by means of tenders or by private negotiation. The privilege in any Coffee Estate may be sold to the planter for a fixed amount not less than Rs. 12 per shop per annum. The shops in alienated villages shall be separately sold, and the amounts connected therewith shall be shown in the accounts under a distinct head. The sale in every case shall be subject to the conditions hereinafter set forth, and shall, *unless revised by the Government*, take effect upon formal confirmation by the Deputy Commissioner who shall be at liberty to accept or reject any bid at his discretion without assigning reason for the same. Such formal confirmation will be necessary whether the sale be held by the Deputy Commissioner himself or by any other officer appointed by him. Should there be no bid above the upset price, the officer conducting the sale may lower the upset price at his discretion. The officer conducting the sale may, at his discretion and without assigning any reason, refuse to accept the bid of any person on the ground that he has been convicted by a criminal court of such an offence, or has been guilty of such an infringement of the terms of his license or of a contract under the Excise Regulation or Opium Act as to render him undesirable as a holder of a license, or on the ground that he is insolvent, or in order to prevent arrangements to the detriment of Government interests, or for any other valid reason.

2. (*a*) Parties intending to bid must attend either in person or by duly authorized agents; and no person shall be permitted to bid either on his own behalf or on account of any one else until he has made a deposit of Rs. 25 for shops in the Kolar Gold Fields and the Cities of Bangalore and Mysore and Rs. 10 for shops in other places, or such other reasonable amount as may be fixed by the officer conducting the sale. Provided that the Government may at any time dispense with such initial deposit. Such deposit will, if offered, be received within three days previous to the date of sale. Deposits made by unsuccessful bidders, if not forfeited as hereinafter provided, will be returned at the close of the sale.

(*b*) No shops or group of shops shall be knocked down in the name of more than one person or of more than one company or firm duly represented. The selling officer shall refuse to register as a purchaser any one in whose name the bidding has not proceeded.

3. (*a*) The successful bidder shall, on the exclusive privilege being knocked down to him, at once, if so required by the selling officer, or otherwise at the close of the day's sale, further deposit a sum equal to one-twenty-fourth part of his bid for the year, that is to say, one-half of the monthly rent unless the initial deposit equals or exceeds two months' rent. Should he fail to do so, the deposit, if any, made by him under clause 2 (*a*) will be forfeited and the privilege will be sold again on the above conditions, or otherwise disposed of at his risk, as the Deputy Commissioner or selling officer may determine.

(*b*) The person to whom a shop or group of shops has been knocked down and who has made deposits as provided above, shall be required to leave his address with the selling officer, in order that the confirmation of the sale may be communicated to that address by a notice, and he shall, within seven days after the service of the said notice by its presentation to himself or to any adult male member of his family at the place of said address or by its being affixed thereto or by its forwardal duly registered by post, pay at the Taluk Treasury concerned, such further sum as, with the former deposits, will make up an aggregate sum equal to two months' rent, and execute at the same time before the Amildar the necessary engagements and take out the necessary licenses, as hereinafter set forth.

4. (*a*) The deposit made under the preceding para shall be either in cash or in Government of India Securities duly endorsed in favor of the Deputy Commissioner. Provided that in cases where the monthly rent exceeds Rs. 10 (in lieu of a deposit of two months' rent as above,) the Deputy Commissioner may, in his discretion, allow any purchaser to deposit one month's rent as above, and to furnish approved personal security for an amount equal to four months' rent. In all cases where the monthly rent does not exceed Rs. 10, a cash deposit equal to two months' rent shall invariably be taken, and no personal security shall be accepted. If, on enquiry subsequent to sale, the purchaser shall be found to be a foreigner having no property in the Mysore State, or to be of doubtful solvency, he may be required to deposit twice the prescribed sum or to get a surety or sureties, residents of and possessing property in the Mysore State, to execute a security bond for the due payment of *all moneys* that may become due by him under the terms of the contract.

(*b*) Should the initial deposit exceed the sum required to be deposited under clause 3 (*b*) or clause 4 (*a*), the excess will be refunded to the purchaser.

5. The purchaser of the exclusive privilege shall execute an agreement binding himself and, unless exempted by the Deputy Commissioner by an order duly recorded, so much of his movable and immovable property as may be deemed sufficient, to observe the conditions hereinafter set forth, as well as those specified in the license to be issued to him; and his surety, if any has been accepted under the above para, shall also execute a bond in the prescribed form binding himself and so much of his movable and immovable property as may be deemed sufficient by the Deputy Commissioner, for the due fulfilment by the purchaser of the terms of his agreement. The agreement and bond so executed shall be stamped at the expense of the purchaser. They shall also be registered at his expense when the amount secured is Rs. 100 and above.

6. If default is made in making the deposit or deposits or in executing the agreement or the security bond, if any, and in taking out licenses as aforesaid, the exclusive privilege shall be forthwith re-sold or otherwise disposed of by the Deputy Commissioner at the risk of the first purchaser, who shall forfeit to the Government any deposit or deposits already made by him, and shall further be liable to make good any loss caused by such re-sale or other disposal. He shall not be entitled to any gain accruing from the re-sale or other disposal. In the case of loss the forfeited deposits will be deducted from it and the remainder, if any, shall be recovered as if it were an arrear of land revenue. In the case of the purchaser's death after the confirmation of the sale, it will be binding on his heirs or assigns.

7. As soon as the agreements and bonds have been executed, the Deputy Commissioner will issue a license in the prescribed form, assigning to the purchaser the exclusive privilege referred to therein, subject to the following conditions; but nothing herein contained shall exempt the purchaser of the privilege from liability to the penalties prescribed for breaches of the conditions set forth below, though a formal license may not have been issued to him :—

(1) For the supply of toddy to his shops, the licensee shall have the privilege of obtaining, subject to Tree-tax Rules, toddy-yielding trees in the groves assigned to his shop or group of shops; and he shall be at liberty to manufacture toddy from the trees in private lands, under private arrangements between himself and the owners of such lands. He may purchase toddy from any licensed toddy shop-keeper on application to the Inspector, who will grant the required permits on proof of the necessity for the same. No toddy except the produce of trees marked by a proper officer and tapped under a license shall be kept in the shop or offered for sale or sold.

(2) The exclusive privilege shall extend to the sale of date, palmyra, cocoanut, bagani, and dadasal toddy. But in tracts where both date and bagani toddy shops exist, the licensee of the date toddy shop shall not tap bagani trees, and the licensee of the bagani toddy shop shall not tap date trees; but both licensees can tap any of the other palm trees named above.

(3) The amount of rent shall be payable into the local Government Treasuries on printed chellans furnished for the purpose by Government, in equal monthly instalments commencing from 1st July 1904. No amount shall be paid to or received by the Excise Officers. In the malnad and semi-malnad taluks, the Deputy Commissioner may permit patels of villages who are not themselves licensees to receive payments not exceeding Rs. 50 from any individual at a time. But if the amount of annual rent for any shop does not exceed Rs. 12, the whole of it shall be paid in not more than three quarterly instalments. Each instalment shall be regarded as the rent for the month or quarter in respect of which it is payable. The licensee is not required to make any additional payment on account of local cess. Each month's or quarter's rent shall be payable on or before the 20th of the same month or before the end of the quarter. If default is made, the Amildar may, with the sanction of the Deputy Commissioner, by record in writing suspend or cancel the license, order the forfeiture of all deposits made by the defaulter, and proceed to re-sell or otherwise dispose of the shop or group of shops at the defaulter's risk (as soon after the last day of the month or quarter as may be possible), with effect from date of issue of license to the new purchaser, or from the date of other disposal. Provided, however, that instead of re-selling the same as above, the Deputy Commissioner may, in his discretion, direct the Amildar to issue licenses to sub-vendors or vendors under the defaulting licensee for rents, the aggregate of which is not less than the rent the defaulting licensee had agreed to pay. The officer who has power to suspend the license may, however, at his discretion, allow sales to continue pending re-sale or other disposal of the privilege.

NOTE.—The licensee of a Jatra shop shall pay the rent thereof in full before the Jatra begins.

(4) The deposit made by the licensee will be taken as security for the due performance of the conditions of the license and if not forfeited or credited or otherwise disposed of shall be taken in payment of the instalment due in the last month or months of the period of the license. All arrears and deficits payable by a licensee shall, with interest at 6 per cent per annum, be recoverable from him or his surety under the rules in force for the recovery of land revenue. Interest shall be calculated on all arrears from the date of default and on deficits from the date of re-sale or disposal otherwise. No remission or abatement of the rent, or compensation shall on any account whatever be claimable by the lisensee, nor will he be entitled to any compensation for any trees withdrawn or taken for public purposes.

(5) If the Deputy Commissioner does not confirm the re-sale, he may make such other arrangements as may appear advisable for the remainder of the period of the license, in which case he shall serve a notice on the defaulting licensee, informing him of the nature of the arrangements made.

(6) Toddy shall not be sold to the public at less than the retail rates specified in the appended Schedule.

(7) The toddy shall be sold pure as drawn from trees, and shall not be adulterated or diluted in any manner in the shops, or depots, if any. No ingredient noxious to health shall be put into the toddy either to increase its intoxicating power or for any other purpose. All officers authorized to inspect shops and depots are authorized to detain any liquor found unfit for consumption or use and all Deputy Commissioners and Excise Commissioner, Deputy Excise Commissioner and Excise Assistant Commissioners are empowered to destroy such.

(8) If the licensee of a group of shops wishes to establish a depot for depositing toddy required for distribution to his shops, he shall obtain a license for it in the prescribed form. The passes issued with the toddy transported, shall be subject to examination and check by the officers authorized in this behalf.

(9) Toddy shall not be sold except in shops duly licensed by the Deputy Commissioner in the prescribed form, and no new shops shall be opened without the previous sanction of the Excise Commissioner. Tree-foot sales or sales in the open, or the disposal of toddy in any other manner unauthorized by the Rules, are strictly prohibited. Provided, however, that in bagani tracts, the licensee who has purchased the right of vend of bagani toddy, may permit the tapping of bagani trees for domestic consumption, as well as for sale within the limits of the village purchased by him. The licensee of the depot or shop or group of shops will be required to keep true account of the receipts and issues of toddy from day to day in ink in the prescribed form. The accounts and permits shall be in printed books which may be obtained from the local Excise Officer on payment of cost price. Permits for toddy received and the counterfoils of permits issued must be carefully filed. The signing of blank permits for subsequent issue is prohibited. The accounts and counterfoils of permits shall be preserved and delivered to the local Excise Officer immediately after the close of the lease. They shall be produced when asked for by the Deputy Commissioner or any officer appointed by him or by an Excise Officer not below the rank of an Excise Assistant Inspector. Such returns and information as may be required by the Deputy Commissioner or Excise Officer not below the rank of an Excise Assistant Inspector shall be furnished by holders of licenses without delay.

(10) The right is reserved to the Deputy Commissioner to grant occasional licenses for the sale of toddy on the occurrence of fairs, festivals, etc., in places in the vicinity of which, there are no regularly licensed shops. Such licenses shall ordinarily be granted to shopkeepers, who usually supply the locality. Their period shall not exceed 15 days and the fee to be paid therefor shall be fixed at the Deputy Commissioner's discretion unless he decides to sell the same by public auction.

(11) The Deputy Commissioner may, whenever he thinks fit, direct any shop or shops to be closed, or permit transfers of shops from one place to another within two hundred yards of the original sanctioned site. A sufficient supply of toddy shall be maintained in all sanctioned shops, the quantity being such as may be fixed by the Excise Divisional Officer.

(12) The licensee of shop or group of shops shall not, during the term of the license, have any interest in the exclusive privilege of vending arrack within 5 miles from it nor permit any person having interest in the exclusive privilege of vending arrack within the said area of 5 miles, to hold any share or interest in his exclusive privilege of selling toddy; nor shall he, during the term of his license, without the written permission of the Excise Commissioner, have any interest, direct or indirect, in any toddy shop or farm outside the Territories of Mysore, or in the Civil and Military Station of Bangalore.

(13) The licensee shall be bound by the provisions of the Excise Laws and Rules thereunder for the time being in force and by the terms and conditions of the license. The licensee shall possess or use on any licensed premises only such standard measures of capacity as may, from time to time, be prescribed by the Excise Commissioner. The officers authorized to inspect licensed shops, are empowered to enter and examine the premises to test measures in use and the toddy under sale and to call for and check accounts in the shop.

(14) The license shall not be transferable by sale, gift or otherwise or be sub-rented except with the permission of the Excise Commissioner. Resignation of shops in whole or in part will be summarily rejected by the Deputy Commissioner.

8. (1) Tree-tapping licenses in the prescribed form shall be issued on the application—

(a) of licensed toddy shop-keepers or of their duly authorized agents,

(b) of tree-owners in coffee estates, hittals and kans in the malnad free of the prescribed tree-tax for drawing toddy for *bona fide* domestic purposes as per Government Order No. 11897-906—Excise 485, dated 20th June 1898, for such number of trees as may be found necessary by the Excise Commissioner.

The licenses may be issued in the name of the applicant himself or of his nominees.

(2) Applications for the grant of tree-tapping licenses must be made in the prescribed form to the Excise Inspector of the Range concerned through the local Treasury. Forms may be obtained from him or the Assistant Inspectors under him.

(3) Applications for tree-tapping licenses, for trees in occupied or alienated lands, should be countersigned by the owner of the trees intended to be marked, in token of his consent. Applications for tree-tapping licenses for trees in State Forests and Plantations should be countersigned by the Forest Range Officer in token of his consent.

(4) Persons applying for the issue of tree-tapping licenses will be responsible to Government for all sums payable as tree-tax on account of the trees licensed therein to be tapped and also for tree-rent in the case of trees on Government unoccupied lands and also for local cess thereon.

(5) On receipt of an application, the Inspector will at once take steps for the marking of the tree by an officer superior in rank to a Sub-Inspector, and for the timely issue of the

license. Applicants for date trees shall get the requisite spaces on their stems prepared and point out to the marking officer, when required by the latter to do so, the trees applied for by them. Should they fail to do so, after reasonable notice, the tree-tax and tree-rent paid by them shall be liable to be forfeited at the Deputy Commissioner's discretion.

(6) Deputy Commissioners may, subject to the orders of the Excise Commissioner from time to time, prescribe the minimum number of trees for which licenses will be granted, and the minimum number to be entered in a single application. They may also direct that the trees situated in one village only shall be included in an application.

(7) No trees shall be tapped, nor shall toddy be drawn from any toddy tree, nor shall any pot be attached to any toddy tree, until the tree has been marked by the proper officer. But the removal of leaves for the purpose of making incisions and the preparation of the spathes or incisions for the drawing of toddy is permitted as soon as the application in the prescribed form has been delivered to the Treasury concerned.

(8) For all toddy-yielding trees, tree-tapping licenses shall be annual. For the convenience of the licensee, applications for tree-tapping licenses will be received, trees will be marked and licenses will be issued during the fifteen days, and pots may be attached to such marked trees during the eight days immediately preceding the period to which they relate, to take effect from the commencement of such period, provided that no toddy shall be removed from the trees except during the currency of such license.

(9) No tree shall be tapped for toddy without a license therefor to be obtained by payment of tree-tax at the following rates:—

Tree.	Tree-tax for each tree per annum including local cess. Rs.	a.	p.
Date	1	1	0
Cocoanut	2	2	0
Palmyra	1	9	6
Bagani or Sago palm	1	9	6
Dadasal (Arenga wightii)	0	8	6

NOTE—The licenses will be free of tax to the Mysore Government in the cases specified in clause (1) above.

(10) In addition to the above tax, tree-rent at annas 4 per tree per annum with local cess at 3 pies thereon shall be paid for all Government trees applied for being tapped for the supply of toddy shops whether within or outside the Mysore Territories or in the Civil and Military Station of Bangalore.

NOTE.—No trees upon Government occupied land can be tapped without the consent of the owner. The present arrangement as regards trees on alienated land will hold good subject, of course, to the levy by Government of tree-tax.

The amount of tree-rent shall be credited to the respective Departments concerned.

(11) (*a*) The tree-rent together with the local cess on tree-rent and also the local cess on the tree-tax for trees applied for shall be payable in full at the time of application for tapping license.

(*b*) The tree-tax shall be payable in the following instalments, unless the Excise Commissioner shall otherwise direct:—

Period within which license is applied for.	Proportion of tre-teax to be paid at the time of application for license.	Proportion of tree-tax to be paid on the first of the 3rd month.
Between 1st July 1904 and 30th April 1905.	One-third	The remaining two-thirds.
Between 1st May 1905 and 30th June 1905.	The whole	None.

(*c*) If any instalments are not paid within the time, the license shall be liable to be cancelled or suspended under Section 26 of the Excise Regulation.

(*d*) When the licensee makes default and his shop is re-sold, his rights to, and claim on, Government trees cease and determine.

(*e*) In case of default, the Amildar with the Deputy Commissioner's permission will order the suspension of the tapping license till the arrears are paid up and if, after receiving notice of such suspension, the defaulter continue to tap the trees, he will be prosecuted for illicit tapping.

(12) The licensee shall not interfere with the licensees for cutting date leaves for mat-making, rope-making, basket-making, or for agricultural or other purposes, when they make use of the trees assigned for such purposes, and not reserved for tapping.

(13) The licensee shall place the license granted to him in a conspicuous place in the shop.

(14) A signboard shall be affixed in a conspicuous part of the front of each shop containing in the local vernacular, the name of the shop-keeper, number of the license and the rate at which toddy is sold by him. The sale or transport of toddy by persons suffering from leprosy or any contagious disease and the employment of such persons in the shop, are prohibited.

(15) The licensee shall prevent all drunkenness or disorder or gaming within his shop.

(16) No shop or depot shall be opened before sunrise or kept open after 9 P.M. except under special authority. The shop shall be kept open during the authorized hours, unless its temporary or permanent closure is authorised by the Deputy commissioner.

(17) The licensee shall not harbour robbers or thieves, disorderly or riotuous persons or prostitutes or soldiers or others known or believed to be deserters. No person shall be harboured in any shop during the night, but, on the contrary, shall give intimation to the nearest Magistrate or Police officer as to any such persons who may resort to his shops.

(18) The licensee shall not receive any grain, jewels, goods, wearing apparel, or other article in barter or in pawn for toddy, but on the offer of any such, shall give information to the nearest Magistrate or Police officer.

(19) The licensee, vendor or vendors shall not sell to any person more than three measuring seers of toddy to be consumed by the person at one time in the shop. He shall not allow any one to take out of his shop without a pass more than two seers or imperial quarts, with the exception of bakers who are permitted to purchase and remove the quantity of toddy specified in the pass held by them. Toddy can be removed upon passes for consumption up to the limit of one imperial gallon or four seers.

(20). The licensee shall have no other pecuniary dealings with any Excise officer.

(21). The sales must be conducted in a suitable building which shall have only one door, and no windows or other opening shall be allowed to the rear or at the ends of the building. The bar at which toddy is sold shall be opposite the entrance door and so situated that all persons inside can be seen by any one passing to and fro in the street, and no second room shall be used for the sale of toddy, or be kept open for customers.

(22). The distillation of spirit from toddy is absolutely prohibited.

(23). No toddy shall be sold or given to any European Non-Commissioned Officer, private or soldier, or to any European or Eurasian camp follower, or to any member of the families of any of the aforesaid persons, without the permission, in writing, of the Commanding Officer, or of some person duly authorized by him in this behalf; nor to any European or Eurasian sailor, nor to any sepoy, member of the Police Force, Excise Officer, or a servant of a Railway Company whilst on duty; nor to any European vagrant under escort of the Police; nor to any child under twelve years of age; nor to any insane person for consumption on the premises: nor shall any toddy be sold *on credit.*

(24). The Deputy Commissioner or Assistant Commissioner in charge of the taluk may direct that all shops for the sale of toddy on, or adjacent to, the line of march shall be closed whilst a regiment or detachment of European or Native soldiers is passing or encamped in the vicinity.

(25). The Government reserves the power to terminate the lease on public grounds on giving the licensee 15 days' notice and awarding a reasonable compensation to the licensee. The licensee will have no claim to compensation or remission on account of any arrangements which may be made by Government in regard to country beer or other description of liquor than toddy.

(26). No person shall be appointed by the licensee for the management of any such privilege without the Deputy Commissioners previous approval. All engagements entered into by agent, shall be deposited with the Deputy Commissioner within one month from the date of execution.

(27). If it comes to the licensee's knowledge that any person employed by him in the manufacture, carriage or sale of toddy commits any breach of the Excise Law or of the engagements entered into by him, it shall be the licensee's duty to report the matter to the Deputy Commissioner, and to comply with the directions of the Deputy Commissioner respecting the further employment of such person.

(28). The licensee shall pay the usual mohatarfa tax on carts used for conveying toddy, but such carts shall not be impressed for Government work.

(29) An Inspection note book with the pages numbered consecutively for inspecting officers to enter their remarks, shall be maintained and be handed over to the Excise Inspector in charge of the Range or any officer authorized by him to receive it on a receipt being given therefor.

(30) No person who has been convicted of any heinous offence under the Indian Penal Code shall be employed in the carriage or sale of liquor without the Deputy Commissioner's previous permission.

(31) The tree-tax on toddy produced by trees in the Madras Presidency but consumed in the Mysore State, will be credited to the Mysore Government. The rate of tree-tax to be paid in such cases will invariably be the highest in force on either side of the frontier. Tree-tax on trees in the Madras Presidency for which tapping licenses are about to be taken out by Mysore

shop-keepers, must be paid in one instalment to the Amildar of the Taluk concerned in the Mysore State, who will grant a receipt in the prescribed chellan form and certify at the foot that the applicant is a person entitled to take out tree-tapping licenses. The applicant will then make his application to British authorities in accordance with the Madras Government Tree-tapping Rules, and will obtain a transport permit from the Inspector concerned in the Mysore State for the transport of the toddy drawn from the frontier to the shop or depot for which it is intended, after having complied with all requirements of the Madras Government Rules.

(32) Every person to whom a tapping license is granted for the manufacture of toddy shall observe the following rules in tapping date trees :—

(*a*) Date trees shall be tapped only by professional men.

(*b*) Trees tapped one year shall not ordinarily be tapped the next year.

(*c*) Trees shall not be over-tapped or over-worked.

(*d*) In no date trees shall the initial incision be made at any point less than 3 feet from the ground except in places where permission is specially given by the Excise Commissioner.

(*e*) The depth and width of the incision shall not exceed one-third of the diameter of the tree, and the length of it shall not exceed eight inches.

(*f*) Every fresh incision shall not be less than one foot above the last incision, except in localities where permission is specially given.

(*g*) The central spike-like clusters shall not be touched. Of the lateral leaves not less than two layers of leaves shall be left, reckoning from the layers immediately next to the central clusters down to the top line of the incision ; or in other words, above the top line of the incision not less than eight leaves shall be left excluding the central spike-like clusters, on that face of the tree on which the incision is made.

(*h*) The licensee shall not cut or injure or permit to be cut or injured the trees licensed to him or any other trees.

(*i*) The licensee or his employer will be liable to pay a fine of one rupee for each tree in excess of three per cent of the number of trees marked for him which may die from over-tapping or careless tapping either during the lease or within six months after its expiration.

(33) In every grove where toddy-yielding trees are tapped, a ladder shall always be kept by the tap-men to enable Excise officers to examine incisions or spathes, as the case may be, or to measure the incisions.

9. In case of any breach of the aforesaid Rules or of the conditions of the license, either by the licensee, or with his connivance or privity by any person in his employment, or in the event of the licensee neglecting to open his shops on 1st July 1904 or to carry on his business with due care and attention, it shall be competent to the Deputy Commissioner to impose upon the licensee a fine not exceeding the sum of Rs. 50 for every such breach or neglect, or at the option of the Deputy Commissioner to declare the money deposited with him forfeited, and to cancel the license and to re-sell the exclusive privilege or otherwise dispose of it at the risk of the licensee, or to place it under the management of Government. When a license is cancelled, the rent for the whole period of the license shall become due at once ; and all loss caused to Government by the cancelment of the license or by the re-sale or other disposal of the privilege, shall be made good by the licensee or his surety in the manner specified under para 3 (*a*) above. All sums due shall be recovered in the same manner as if they were the arrears of land revenue.

10. If the licensee shall be convicted on prosecution before a Magistrate of any offence against the Excise Regulation or Opium Act or other law for the time being in force, which, in the Deputy Commissioner's opinion, renders him unfit to hold the license, it shall be lawful for the Deputy Commissioner to declare his license forfeited or sell or otherwise dispose of the privilege at the risk of the licensee.

11. All sums payable by the licensee may be deducted from the amount of his deposit, or recovered by attachment and sale of the property of the licensee or his surety, under any law for the time being in force for the recovery of arrears of land revenue.

12. The imposition of a fine or the forfeiture of a deposit or the cancellation of the license under the last preceding condition shall not be held to prevent the prosecution of the licensee or his agents or employees for any offence punishable under the law for the time being in force.

NOTE.—For continuing breaches of a license continuing fine may be imposed.

The Petition Box kept at the Office of the General and Revenue Secretariat, Bangalore, will be cleared at 12 noon every day by the Secretary to Government, General and Revenue Departments, and in his absence from Bangalore, by the Deputy Secretary.

By Order,

L. ANANTASAMI RAO,

Offg. Secy. to Govt., Gen. & Rev. Depts.